

Applicants: Paul K. Smith
Appl'n. No.: 10/741,496
Filed: December 19, 2003
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REMARKS

The Examiner required restriction to one of the following two Groups of inventions under 35 U.S.C. §121:

- I. Claims 9-12 and 21-24, drawn to substituted thiourea compounds; and
- II. Claims 16-17 and 25-27, drawn to substituted bis-thiourea compounds.

In response to the restriction requirement, applicant hereby elects, with traverse, to prosecute the invention identified by the Examiner as Group I, i.e. Claims 9-12 and 21-24, drawn to substituted thiourea compounds.

Applicant requests that the Examiner reconsider and rejoin Groups I and II. Applicant maintains that a search for one Group would necessarily identify art pertinent to the other Group. Applicant respectfully points out that if a search and examination of multiple groups can be made without serious burden on the Examiner, the Examiner must examine the application on the merits, even though it includes claims to independent or distinct inventions (MPEP §803). Applicant maintains that it would not place an undue burden on the Examiner to examine both Groups I and II.

Supplemental Information Disclosure Statement

This Supplemental Information Disclosure Statement is being filed to supplement the Information Disclosure Statement filed on December 19, 2003 in connection with the above-identified application.

In accordance with the duty of disclosure under 37 C.F.R. §1.56, applicant would like to direct the Examiner's attention to the five references that are listed on Form PTO/SB/08A (1 page) attached hereto along with a copy of the PCT patent document.

Applicants are submitting the subject Supplemental Information Disclosure Statement pursuant to 37 C.F.R. §1.97(b)(3) before the mailing of a first Office Action

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on the merits. Accordingly, no fee is deemed necessary in connection with the filing of this Supplemental Information Disclosure Statement.

CONCLUSION

No fee is deemed necessary in connection with the submission of this Communication. However, if any fee is required to maintain the pendency of the subject application, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 01-1785.

Respectfully submitted,
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By 

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New York, New York